

Lead Defendant	NEPA Cases filed in 2002	
	Cases Filed	Injunctions in 2002 cases
DOT	13	2
FCC	2	0
NRC	1	0
DOI	23	0
USDA	69	3
DOC	6	1
DOE	0	0
USACE	1	0
HUD	12	0
Total	1	0
	128	6

2002 NEPA Case Dispositions				
	pre-2002	2002		All
Judgment for defendant	46	3		49
TRO	2	2		4
Preliminary injunction	7	4		11
Permanent injunction	5	2		7
Remand	14	2		16
Dismissal w/ settlement	19	3		22
Dismissal w/o settlement	24	5		29
Other action	23	10		33
Pending	107	96		205

Plaintiffs in NEPA Lawsuits	
Public Interest groups	191
Individual/Citizen assoc.	82
State government	8
Local government	16
Business groups	28
Property owners/residents	5
Indian tribes	9
Combination plaintiffs*	42

* i.e. local government AND individuals;
if a plaintiff type was in a combination with other plaintiff types, it was counted in the individual as well as the combination category

Basis for NEPA Dispositions				
	pre-2002	2002		ALL
Jurisdictional issues	18	3		21
Settlements/other	19	3		22
Federal action req. NEPA	3	0		3
EIS Adequacy	28	2		30
EA/FONSI Adequacy	20	3		23
SEIS	3	1		4
Categorical Exclusion	1	3		4

more detailed data available - see tables to right, highlighted this color orange
Other reasons may include:
1. Not enough data from agency to determine disposition basis
2. Overruling District Court, which had abused its discretion
TOTAL = all above categories except combo (to prevent double counting) [total bases for disposition should at least be as much as total judgments; bases may be larger than total judgments b/c may be more than one basis for a judgment]

Federal action requiring NEPA	
action not federal	1
NEPA required	2

SEIS	
need to prepare -new effects info	1
need to prepare - change in action	0
no need to prepare	3

EIS Adequacy	
adequate	21
incomplete, essential info	8
inadequate indirect effects	1
inadequate cumulative effects	0
alternatives: no action	0
alt. excluded/range	1
other	

EA/FONSI Adequacy	
adequate	13
incomplete, essential info	9
inadequate indirect effects	2
inadequate cumulative effects	0
alternatives not considered	0

2003 NEPA Case Dispositions					Basis for NEPA Dispositions				
	pre-2003	2003		All		pre-2003	2003		ALL
D	46	3		49					
TRO	2	2		4					
I1	7	4		11	D1	19	3		22
I2	5	2		7	D2	24	5		29
Remand	14	2		16	JUR1	0	1		1
Dis1	19	3		22	Jur2	18	2		20
Dis2	24	5		29	FEDnot	1	0		1
PNL					FEDis	2	0		2
PND					FONSlaff	3	0		3
Pending	107	96		205	FONSlrev	1	0		1
Other					EIS Adequate	19	2		21
Lead Defendant	NEPA Cases filed in 2003				EIS not Adequate	9	0		9
	Cases Filed	Injunctions in 2003 cases			Federal action	2	0		2
DOT	13	2			Action not Fed EA Adequate	1	0		1
FCC	2	0			EA not Adequate	11	2		13
NRC	1	0			CE1	9	1		10
DOI	23	0			CE2	1	0		1
USDA	69	3			SEIS Needed	0	3		3
DOC	6	1			SEIS not needed	1	0		1
EPA	0	0				2	1		3
DOE	1	0							
Army Corps of Eng.	12	0							
HUD	1	0							
Total	128	6							

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EA/FONSI Adequacy	
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incomplete, essential info	9
inadequate indirect effects	2
inadequate cumulative effects	0
alternatives not considered	0